IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.1202 OF 1996

OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

Shri P.D.Dalvi for the Appellant.
Shri Abhishek V. Sawant i/by M/s Little & Co for the Respondent No.1.
Shri Kode i/by Shri N.V.Bandiwadekar for the Respondent Nos.2 and 3.

CORAM : A. S. OKA, J.

DATE : FEBRUARY 12, 2007.

P.C.:

1. Heard Advocate for the Appellant. Admit. Printing is dispensed with.

2. Private paperbook along with Decree Form shall be filed by the Appellant within a period of one year from today. If compliance is not made within stipulated time, the Appeal shall stand dismissed for want of prosecution without further reference to the Court.

3. This is a money decree. Therefore,

the Appellant will have to deposit the decretal amount. Considering the facts and circumstances of the case, the Appellant is directed to deposit the entire principal amount of Rs.1,79,880.86/- together with interest thereon at the rate of 6% per annum from 31st July, 1986 till the date of deposit. The amount shall be deposited with the trial Court within period of three months from today. This order is passed in exercise of powers under sub rule 3 of Rule 1 of Order 41 of the Code of Civil Procedure, 1908. If the amount is deposited, the original Plaintiff will be entitled to withdraw the same subject to giving an undertaking to the Trial Court to redeposit the amount with appropriate rate of interest in case the Appellant succeeds in the Appeal.

JUDGE